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WESTERN DISTRICT OF LOUISIANA

UNITED STATES DISTRICT COURT

WESTERN DISTRICT OF LOUISIANA

LAKE CHARLES DIVISION

BROOKSHIRE BROTHERS
HOLDING, INC., ET AL

: DOCKET NO. 04-1150

VS.

: JUDGE TRIMBLE

TOTAL CONTAINMENT, INC., ET
AL

: MAGISTRATE JUDGE WILSON

JUDGMENT

Pursuant to the Memorandum Ruling of this date,

IT IS ORDERED, ADJUDGED AND DECREED that the motion for summary judgment filed by Underwriters Laboratories, Inc. to dismiss Plaintiffs' claims as time-barred (doc. #334) is hereby **GRANTED** to the extent that all claims for injuries that occurred prior to August 15, 2002 have prescribed and are dismissed.

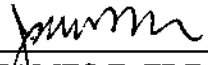
IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the motion for summary judgment filed by Underwriters Laboratories, Inc. to dismiss Plaintiffs' claim as barred by the economic loss rule (doc. #325) is hereby **GRANTED IN PART** to the extent that the claims for injuries that occurred in Texas are dismissed except for damages to other property including land contamination in Texas, and **DENIED IN PART** to the extent that injuries that occurred in Louisiana are governed by Louisiana law and the economic loss rule is not applicable.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the motion for summary judgment filed by Underwriters Laboratories, Inc. to dismiss Plaintiffs' claims of promissory estoppel and detrimental reliance (doc. #326) is hereby **GRANTED** dismissing these

claims against defendant, Underwriter Laboratories, Inc.

The Court expressly determines that there is no just reason for delay and directs entry of judgment under rule 54(b) of the Federal Rules of Civil Procedure.

THUS DONE AND SIGNED in Chambers at Lake Charles, Louisiana, this 7th day of July, 2006.



JAMES T. TRIMBLE, JR.
UNITED STATES DISTRICT JUDGE